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## Close Defeat On Harpers Ferry Annexation Bid

By Deborah Fitts

HARPERS FERRY, W.Va. — A controversial proposal by developers to annex 638 acres of the Harpers Ferry battlefield to the

City of Charles Town was narrowly defeated April 2.

The Charles Town City Council voted 4-3 against the annexation. The attempt was viewed as a tactic

by the developers to get approval for the intense use they envision for the battlefield property, including 2 million square feet of office space, hundreds of residential

units, a hotel and a marina.

The land, dubbed "Old Standard" for a now-defunct quarry, fronts the Shenandoah River at the heart of the Harpers Ferry battlefield. It has been the focus of intense debate since last August, when developers Herb Jonkers, Gene Capriotti and Lee Snyder laid water and sewer pipes to the site for 1,900 feet across part of Harpers Ferry National Historical Park.

The federal government has yet to announce what action it will taken against the developers for that incursion.

Water and sewer service would allow Old Standard to be much more intensely developed. At present the land is mostly zoned for low-density rural and agricultural use.

Attempts by park officials to stop the digging were unsuccessful. Park watchers have been waiting for months to see when and if the National Park Service intends to institute legal action.

### 'Heart of the Park'

Park superintendent Don Campbell said he was "very pleased at the judgment that the Charles Town City Council used in turning [annexation] down."

Old Standard is "right in the heart of the park," Campbell said, with park land surrounding it on three sides. "The magnitude of this development would have just a dev-

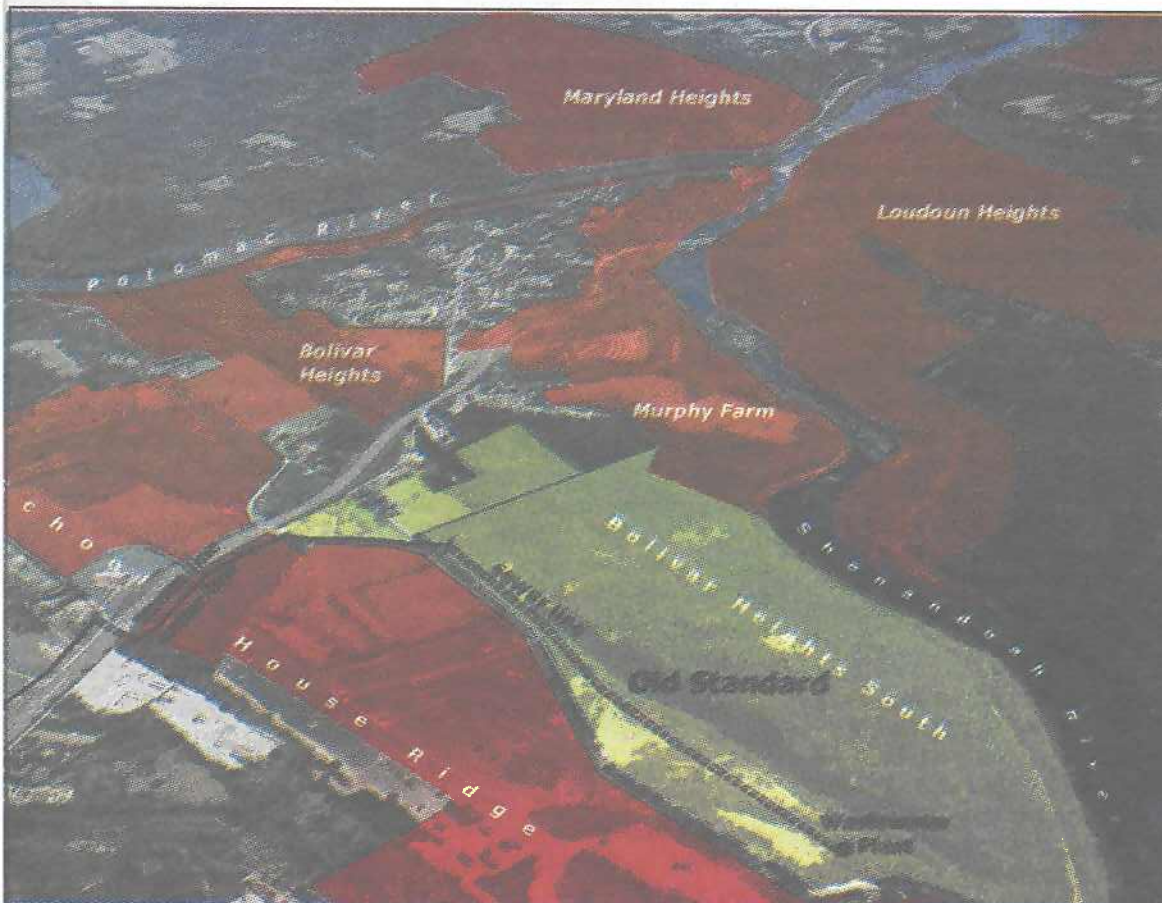
astating effect on both the historic resources and the scenery. It would desecrate the national park."

Campbell opposed the annexation at public meetings prior to the vote, asserting that views of the historic landscape would be "obliterated" by the development. The park is currently installing hiking trails and exhibits on the adjoining School House Ridge battlefield.

Park supporters may wish that Old Standard had been brought inside the park boundary during an expansion several years ago. It was across this land in September 1862 that Stonewall Jackson ordered Gen. A.P. Hill to flank the Union position on Bolivar Heights.

Hill first shelled the woods of what would become Old Standard

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The area in yellow is slated for intensive development by owners who laid water and sewer lines across part of Harpers Ferry National Historical Park.

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and then crossed the property to the Shenandoah River shore with 5,000 men. Taking advantage of night and fog, Hill placed 3,000 Confederates and 20 cannon on the adjacent Murphy Farm (which was recently added to the park at a cost of \$3.1 million), 1,000 yards from the exposed Federal flank.

The ensuing surrender of the Union garrison with its 12,700 troops represented the largest capture of the Civil War.

Campbell said the Old Standard property was considered for the park expansion but was ultimately excluded. The land was in bankruptcy at the time, he explained, while the park was looking to work with willing sellers.

"We had a group of large landowners" ready to sell, Campbell said, plus "14 years invested in trying to protect the land." Park officials feared the Old Standard property could stall the park-expansion bill before Congress. "The timing wasn't

right."

According to Campbell, the property is about 75 percent wooded today. Some 25 percent of the property is a "brownsfield" site, the location of the former quarry and processing area where chemicals were used.

### Awaiting Next Step

Opponents of the annexation surmised that the developers felt Charles Town would be more amenable to their plans than Jefferson County, which remains the jurisdiction with zoning authority over the Old Standard property.

Scot Faulkner, president of the Friends of Harpers Ferry National Historical Park, said he assumed that the developers would now seek rezoning from Jefferson County, or perhaps "resubmit their annexation proposal after the Charles Town municipal elections" on May 24.

Also among the critics of annexation was the National Trust for Historic Preservation. The Trust wrote a letter March 20 to the

Charles Town Planning Commission pointing out that according to West Virginia law, property to be annexed must be "contiguous" to the municipality it seeks to join.

Old Standard lies about 5 miles east of Charles Town. But the developers claimed that Route 340, which lies between the two, made the annexation legal. The law allows "contiguous" to include land that is across a road from a municipal boundary — and the developers asserted that the length of a highway also fits the requirement.

The Trust decried the notion of "a stand-alone new commercial development far from (Charles Town's) boundary," and predicted that annexation of Old Standard would "trigger an economic decline in the City's established commercial district." Nevertheless, the Charles Town Planning Commission voted to recommend annexation 3-2, a recommendation that the City Council did not follow.

The three developers own the Old Standard tract, which totals 406 acres. While the name Old Standard was used generally to include all the property proposed for annexation, two adjoining parcels are under different ownership. Capriotti owns 30 acres dubbed Bugler's Rest, and a 14-acre parcel is owned by another party.

The 638 acres under the annexation plan also included the 5 miles of Route 340 between Old Standard and Charles Town.